

FILED  
IN CLERKS OFFICE

BRCV2003-01240

Griffin Manufacturing Company, Inc. v St. Germain's Warehouse Co., Inc.

File Date	11/10/2003	Status	Disposed: transfered to other court (dtrans)
Status Date	12/22/2003	Session	A - CtRm 1 - (Fall River)
Origin	1	Case Type	A02 - Goods sold/delivered under contract
Lead Case		Track	F

Service	02/08/2004	Answer	04/08/2004	Rule12/19/20	04/08/2004
Rule 15	04/08/2004	Discovery	09/05/2004	Rule 56	10/05/2004
Final PTC	11/04/2004	Disposition	01/03/2005	Jury Trial	No

PARTIES

Plaintiff

Griffin Manufacturing Company, Inc.  
502 Bedford Street  
Fall River, MA 02720  
Active 11/10/2003

Private Counsel 216300

Jamie N Hage  
Nixon Peabody  
101 Federal Street  
Boston, MA 02110  
Phone: 617-345-1000  
Fax: 617-345-1300  
Active 11/10/2003 Notify

Private Counsel 654507

Stephen M LaRose  
Nixon Peabody  
101 Federal Street  
Boston, MA 02110  
Phone: 617-345-1000  
Fax: 617-345-1300  
Active 11/10/2003 Notify

Defendant

St. Germain's Warehouse Co., Inc.  
743 North Main Street  
Woonsocket, RI 02895  
Served: 11/17/2003  
Active 12/15/2003

Private Counsel 546541

John E McCabe  
47 Church Street  
Wellesley, MA 02482  
Phone: 781-237-8500  
Fax: 781-237-1127  
Active 12/15/2003 Notify

Other interested party

FILE COPY  
Active 11/10/2003 Notify

ENTRIES

Date	Paper	Text
11/10/2003	1.0	Complaint & civil action cover sheet filed
11/10/2003		Origin 1, Type A02, Track F.

Commonwealth of Massachusetts  
BRISTOL SUPERIOR COURT  
Case Summary  
Civil Docket

12/22/2003  
09:16 AM

**BRCV2003-01240**

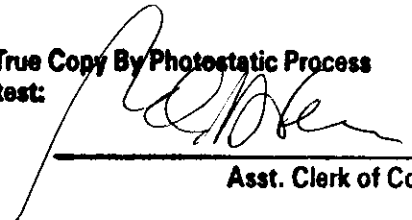
**Griffin Manufacturing Company, Inc. v St. Germain's Warehouse Co., Inc.**

Date	Paper	Text
11/17/2003	2.0	Affidavit of compliance with long-arm statute with proof of service on out of state defendant St. Germain's Warehouse Co., Inc. (certified Mail to Mr. Luc St. Germain)
12/15/2003	3.0	Notice for Removal to the United States District Court filed by St. Germain's Warehouse Co., Inc.
12/22/2003		Case REMOVED this date to US District Court of Massachusetts with endorsement 03CV12462RCL thereon

**EVENTS**

Date	Session	Event	Result
11/10/2003	CtRm Main - (Taunton)	Status: by clerk Initial One-trial Review	Event held as scheduled

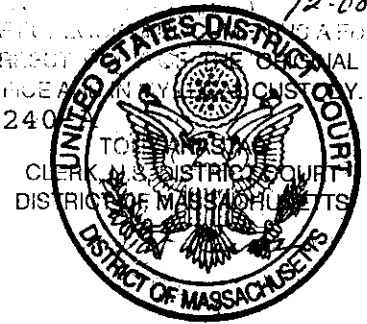
**A True Copy By Photostatic Process**  
**Attest:**

  
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**Asst. Clerk of Courts**

COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF BRISTOL  
SUPERIOR COURT

FILED  
CLERK'S OFFICE  
2003 DEC -8 P 2:01

BRCV2003-01240



U.S. DISTRICT COURT  
DISTRICT OF MASS.  
IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MASSACHUSETTS

DOCKET NO.:

GRIFFIN MANUFACTURING )  
COMPANY, INC. )  
Plaintiff )  
VS. )  
ST. GERMAIN'S WAREHOUSE )  
CO., INC. )  
Defendant )

NOTICE OF REMOVAL  
DIVERSITY

03 CV 12462 RCL

Now comes St. Germain's Warehouse Co., Inc. a Rhodes Island corporation, the defendant herein, and says that:

1. There was commenced, and is now pending in the Superior Court of Bristol County, Commonwealth of Massachusetts a certain civil action BRCV2003-01240-A in which the above named Griffin Manufacturing Company, Inc. a Massachusetts corporation is plaintiff, and St. Germain's Warehouse Co., Inc. a Rhodes Island corporation, is defendant.
2. Said action is of a civil nature, and the amount in controversy claimed by the plaintiff, exclusive of interest and costs, exceeds the sum of seventy-five

thousand dollars (\$75,000.00), to-wit; an action to recover damages for breach of contract and loss of goods, which damages the plaintiff claims were caused by the alleged negligence of the petitioner and/or breach of contract by the petitioner.

3. The action involves a controversy between citizens of different states. The plaintiff is now, and was at the commencement of this action, a corporation duly created and organized by and under the laws of the Commonwealth of Massachusetts, with a principal place of business in Massachusetts and the defendant was at the time of the commencement of this action, now is, and ever since has been a corporation duly created and organized by and under the laws of the State of Rhodes Island with a principal place of business in Rhodes Island.
4. Said action is one of which the District Court of the United States is given original jurisdiction under 28 U.S.C.A. § 1332.
5. The notice is filed in this Court within 30 days after the receipt by the defendant of a copy of the initial pleading setting forth the claim for relief upon which the action is based, which was served on the defendant on November 10, 2003 and the time for filing this

notice under the Statute of the United States has not expired.

6. Written notice of the filing of this notice will be given to all adverse parties as required by law.
7. A true and correct copy of this notice will be filed with the Clerk of the court of Bristol County, as provided by law.
8. There is filed herewith, and by reference made a part, hereof, a true and correct copy of all process, pleadings, and orders served upon the defendant in this action (Civil Action Cover Sheet; Complaint; Summons; Affidavit of Service and supporting documentation filed with the State Court by plaintiff's counsel under the Massachusetts Long Arm Statute, M.G.L. c. 223A §§ 3, 4, and 6; State Court Tracking Order).

Wherefore, defendant, St. Germain's Warehouse Co., Inc., prays that the above action now pending against it in the Superior Court for the County of Bristol, Commonwealth of Massachusetts, Docket No. BRCV2003-01240-A, be removed from the state court to this court.

Defendant,  
St. Germain's Warehouse Co., Inc.,  
By its attorney

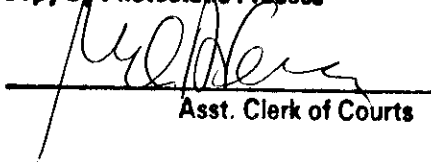
A handwritten signature in cursive script, appearing to read "John E. McCabe", written over a horizontal line.

John E. McCabe  
47 Church Street  
Wellesley, MA 02482  
Phone 781-237-8500  
Facsimile 781-237-5765

Dated: December 8, 2003

**A True Copy By Photostatic Process**

**Attest:**

A handwritten signature in cursive script, written over a horizontal line.  
**Asst. Clerk of Courts**